

CLERK OF CIRCUIT COURT

Mission Statement: The mission of the Clerk of Circuit Court's Office is to facilitate the orderly conduct of governmental, judicial, commercial and legal affairs for the citizens of Loudoun County by collecting the appropriate taxes and fees, processing legal documents, retaining permanent court records, land records, judgment records, and legal documents, providing public inspection of permanent records, and providing efficient administration of court cases and Clerk's Office services.

Department Description: The Office of the Circuit Court Clerk is organized into several functional divisions: Land Records – recordation, indexing and retention of land records and related documents; Probate – probating of wills and estates and preparation of legal documents; Court Services – filing and retention of court records, public inspection of court files, and the administration of services to support the Judges of the Circuit Court; Jury Management – issuance of juror questionnaires, juror summonses and other legal documents and the coordination of jury trials and grand jury; Public Services – issuance of marriage licenses, notary commissions, concealed weapon permits, subpoenas, and the collection of court fines and costs assessed by the Court; Administration – management of office operations, budget and finance, payroll, human resources and other related administrative/managerial functions. The Clerk's Office also operates the Law Library. The office accounts for monies and disburses the local share directly to the locality. Local revenue collected in FY 03 for Grantor/Grantee taxes on the recordation of deeds alone was \$9 million. Finally, the Clerk's Office collects fines and fees for other County departments that do not appear in his actual revenue. The departments benefiting from these collections are the Office of the Sheriff and the Commonwealth's Attorney.

The Clerk of the Circuit Court is located at the County Court House in close proximity to the Circuit Court courtrooms and related facilities. Businesses and individuals have access to the Office on a walk-in basis eight hours a day, five days a week, except on official State holidays.

Information on scheduled projects for the Capital Asset Replacement Fund can be found in tables beginning on page 300.

Departmental Financial Summary	FY 02 Actual	FY 03 Actual	FY 04 Actual	FY 05 Adopted	FY 06 Proposed
Expenditures					
Personnel	\$1,820,318	\$1,923,513	\$2,072,605	\$2,162,000	\$2,298,000
Operations & Maintenance	260,924	291,965	253,153	229,000	231,000
Capital Outlay	4,432	1,149,625	35,978	31,000	31,000
Total Expenditures:	\$2,085,674	\$3,365,103	\$2,361,736	\$2,422,000	\$2,560,000
Departmental Revenue					
Local Fees, Charges, Etc.	\$6,507,559	\$10,039,446	\$11,506,402	\$7,739,000	\$13,288,000
Commonwealth Funding	2,331,938	2,815,836	3,722,950	2,600,000	3,600,000
Total Revenues:	\$8,839,497	\$12,855,282	\$15,229,352	\$10,339,000	\$16,888,000
Local Tax Funding:	(\$6,753,823)	(\$9,490,179)	(\$12,867,616)	(\$7,917,000)	(\$14,328,000)
FTE Summary:	34.60	37.00	37.00	38.00	40.00

County Administrator's Recommendation: The FY 06 proposed budget for the Clerk of the Circuit Court's Office includes enhancements totaling 2.00 FTE and \$105,000 in additional local tax funding for one land records clerk and one court services clerk. In addition, local tax funding requirements decrease \$6,411,000 due to additional revenue in recordation taxes and taxes on deeds.

Budget History:

FY 02: The Board approved enhancements totaling 3.00 FTE for a probate supervisor (1.00 FTE) to supervise the scheduling of probate hearing and preparation of legal documents in probate matters, a manager (1.00 FTE) in the court services division to manage the courtroom clerks unit, the case management unit and the civil intake unit, and a court services position (1.00 FTE) to provide additional support to the Court Services Program.

FY 02 Mid-Year: The State Compensation Board funded an additional clerk position (1.00 FTE) and 0.40 FTE to increase a part time position to full time.

FY 03: The Board approved 1.00 FTE for a probate clerk to provide services for visiting judges using the fourth circuit court courtroom.

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Budget History – Continued:

FY 04 Mid-Year: The Board added 1.00 FTE (Archival Records Manager) to preserve the County's legal historical records, assist citizens with requests for historical records research and supervise the grant application and administration process to obtain grant funding.

County Administrator's Proposed Enhancements

	Total Proposed Enhancements			
	Expenditure	Revenue	Local Tax Funding	FTE/Positions
FY 06:	\$105,000	\$0	\$105,000	2.00/2

(Land Records Clerk) Deeds recorded in the Office of the Clerk of Circuit Court must be processed and made available to the public within 30 days as prescribed by the Code of Virginia. The Clerk has projected a 32% increase of 225,000 total deed recordings to be processed in the Land Records Division for FY 05. This amount is expected to increase in FY 06 to more than 290,000 recordings. Current staffing levels are having difficulty handling the increase. In addition, the State Compensation Board's staffing study of Loudoun County indicated that the Clerk of Circuit Court needs seven additional deputy clerks in his office. Of this amount, three of the positions were identified for Land Records but no additional funding was provided by the State for any of the seven positions. The Clerk is requesting a Land Records Deputy Clerk (1.00 FTE) for his office to help relieve the workload stress on the existing staff.

FY 06:	\$46,000	\$0	\$46,000	1.00/1
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(Court Services Clerk) The number of court cases filed and legal pleadings received was 98,896 in FY 05 and the projected number for the same filings in FY 06 is projected at 108,952. This will put a strain on existing services provided to the public and the Circuit Court Judges. The additional workload will create a need in the Clerk's Office for a Court Services Clerk. The State Compensation Board's staffing study of Loudoun County indicated that the Clerk of Circuit Court needs seven additional deputy clerks in his office. Of the remaining amount not allocated to Land Records, the Court Services Division was to receive three positions. The Clerk is requesting a Court Services Clerk (1.00 FTE) for his office to help relieve the workload stress on the existing staff.

FY 06:	\$59,000	\$0	\$59,000	1.00/1
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